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REMARKS

Claims 1-10 and 15-17 are pending in this application. Claims 1, 6, 15, 16 and 17 are independent.

All claims stand rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by US Patent Number 6,747,970, issued to Christopher H. Lamb, *et al* on June 8, 2004 (hereafter "Lamb"). The Examiner also includes a note that US Patent Number 5,533,110, issued to Deborah L. Pinard, *et al* on July 2, 1996 also anticipates all claims.

Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-10 and 15-17 stand rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by Lamb. (The rejections in the Office Action for claims 2-10 and 15-17 cite to "[t]he combination Himi-Beyda". Applicants assume that the Examiner's references to Himi-Beyda are inadvertent, and that reference to Lamb was intended.) Applicants respectfully traverse this rejection.

In order for a claim to be rejected by Lamb under 35 USC § 102(e), Lamb must describe each and every element found in the claim. However, each claim of the present application is distinct from Lamb.

Lamb relates to an interface between a public switched telephone network (PSTN) and a network based telecommunications system. Lamb encourages the use of proprietary protocols on the network, or a non-standard variant of SIP. See Column 42 and 43:

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The telecommunications network server (TNS) call signaling message (CSM) interface 305-3 provides the messaging interface to send and receive call signaling message 230 to and from the telecommunications network server 202-1 in order to make and receive telephone calls on a public switched telephone network as explained herein. In this example, the TNS CSM Interface 305-3 may use the standard or proprietary protocol such as an extension or variant of a protocol such as the SIP protocol documented in Request For Comment (RFC) number 2543 (RFC-2543) produced by the Internet Engineering Task Force (IETF).

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Another protocol that can be used to support interface 305-3 is the SIP protocol noted above and extended by a protocol called "PINT." The PINT protocol provides a limited set of messages that can be sent from a computer on an IP network to a telephone switch device on a PSTN to provide rudimentary control of the PSTN telephone switch device. This interface can operate in a secure manner using data security techniques such as the SSL protocol or a public or private key encryption protocol to provide encryption/decryption and authentication of messages in order to avoid unauthorized control or use of the public phone switch 202-2. Security, however, for this interface is optional and is not required for the invention.

In these two paragraphs, Lamb is teaching against the use of the standard SIP protocol, and instead is advocating the use of proprietary extensions.

However, independent claims 1, 6, 15, 16 and 17 require SIP and SIP specific messages INVITE (claim 15 does not require this) and RE-INVITE. Lamb does not even describe the use of standard SIP, and there are no references to specific messages, nor to specific sequences of SIP messages as described in the claims.

Because of this difference between Lamb and the present application, withdrawal of the rejection of claims 1, 6, 15, 16, and 17 pursuant to 35 U.S.C. § 102(e) is requested.

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Claims 2-5, and 7-10 depend upon independent claims 1 or 6 and contain the same limitations from the independent claims. As such, withdrawal of the rejection of these claims is also requested.

Pinard Note

The Examiner also included a note stating that "the Pinard patents also anticipate all claim limitations of the application". Applicants respectfully disagree.

In order for a claim to be anticipated by Pinard, Pinard must contain each and every element found in the claim. Pinard discusses a Human Machine Interface to a telephony server connected through a local area network (See text from column 1 below).

FIG. 1 illustrates in block diagram a system on which the 55
present invention can be operated. A personal computer 1 is
connected to a local area network (LAN) 3, to which a
telephony server 5 is also connected. A telephone set 7, to be
used by the user of the personal computer 1 is connected to
the telephony server 5 via a telephony interface circuit 8. 60

The server contains telephone interface circuits 8, conference digital signal processing circuits 9, dialing circuits, trunk circuits, etc., as described in the aforementioned patent applications assigned to Mitel Corporation. The server also contains agents such as device agent 10 and other elements 65
as described in the aforementioned patent applications, in order to process calls.

Pinard does not discuss the use of voice over the LAN, the SIP protocol nor the specific INVITE or RE-INVITE messages as required by the claims. The LAN is only used to send commands from the personal computer to the telephony interface circuit. There is no anticipation of Voice over Internet Protocol (VoIP) or of SIP. Pinard is vastly different from the claims of the present application.

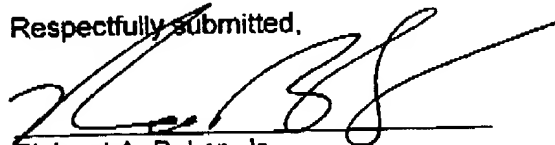
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CONCLUSION

The pending claims define subject matter that is distinct from Lamb and from Pinard. The application is in condition for allowance. Applicants respectfully request prompt issuance of this application.

The commissioner is authorized to charge deposit account 503650 for any fees associated herein.

Respectfully submitted,



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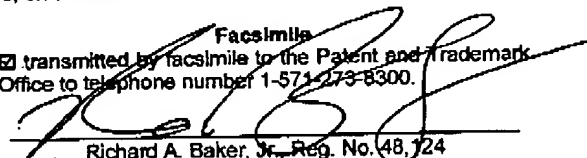
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